

**STATEMENT OF CLAIM FOR EXISTING  
WATER RIGHT  
EXEMPT DOMESTIC USE**

Use this form to claim an existing water right exempt  
from the claim filing process.

§ 85-2-222, MCA

**Filing Fee \$160**

**DRAFT**

**FOR DEPARTMENT USE ONLY**

Notice No. \_\_\_\_\_ Basin \_\_\_\_\_  
Date Rec'd \_\_\_\_\_ Time \_\_\_\_\_ AM - PM  
Rec'd By \_\_\_\_\_  
Fee Rec'd \$ \_\_\_\_\_ Check No. \_\_\_\_\_  
Deposit Receipt # \_\_\_\_\_  
Payor (if different from name(s) listed in item 1 below) \_\_\_\_\_  
Refund \$ \_\_\_\_\_ Date \_\_\_\_\_

**Important Note**

Water rights for stock and individual domestic uses from instream or groundwater sources were exempted from filing requirements of § 85-2-221, MCA.

In 2013, the Montana Legislature passed Senate Bill 355, creating a petition process to judicially determine claims for existing water rights that were exempt from filing in the statewide water right adjudication.

Senate Bill 355 requires that you complete this claim form, include supporting documentation for your claim (e.g., maps, affidavits, decrees, notices of appropriation or completion, etc), pay the filing fee set out below, file a petition with the Montana Water Court (form available at DNRC offices, Water Court, and online at [http://www.dnrc.mt.gov/wrd/water\\_rts/adjudication/default.asp](http://www.dnrc.mt.gov/wrd/water_rts/adjudication/default.asp)), and pay for public notice costs as specified in § 85-2-233(16), MCA.

**1. WATER RIGHT OWNER INFORMATION:**

NAME(S) \_\_\_\_\_  
MAILING ADDRESS \_\_\_\_\_  
CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_  
WORK PHONE \_\_\_\_\_ HOME PHONE \_\_\_\_\_ CELL PHONE \_\_\_\_\_

**2. PERSON COMPLETING FORM:** Same as above? ☐ Yes ☐ No If yes, proceed to #3.

NAME \_\_\_\_\_  
MAILING ADDRESS \_\_\_\_\_  
CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_  
WORK PHONE \_\_\_\_\_ HOME PHONE \_\_\_\_\_ CELL PHONE \_\_\_\_\_

**3. SOURCE OF WATER:** Check only one: ☐ Developed Spring ☐ Well ☐ Stream ☐ Lake  
Name of Source (if applicable) \_\_\_\_\_ Tributary of \_\_\_\_\_

**4. POINT OF DIVERSION:**

\_\_\_\_ 1/4 \_\_\_\_ 1/4 \_\_\_\_ 1/4 Section \_\_\_\_ Twp \_\_\_\_ N / S Rge \_\_\_\_ E / W County \_\_\_\_  
Lot \_\_\_\_ Block \_\_\_\_ Tract No. \_\_\_\_ Subdivision Name \_\_\_\_  
Government Lot No. \_\_\_\_ COS No. \_\_\_\_ Geocode \_\_\_\_  
Street or Road Address, including City, State & Zip Code of the Development \_\_\_\_

**5. MEANS OF DIVERSION:** ☐ Pump ☐ Gravity Flow ☐ Other, please explain: \_\_\_\_\_

**6. PLACE OF USE:** Same as Point of Diversion? ☐ Yes ☐ No If yes, proceed to #7.

\_\_\_\_ 1/4 \_\_\_\_ 1/4 \_\_\_\_ 1/4 Section \_\_\_\_ Twp \_\_\_\_ N / S Rge \_\_\_\_ E / W County \_\_\_\_  
Lot \_\_\_\_ Block \_\_\_\_ Tract No. \_\_\_\_ Subdivision Name \_\_\_\_  
Government Lot No. \_\_\_\_ COS No. \_\_\_\_ Geocode \_\_\_\_  
Street or Road Address, including City, State & Zip Code of the Development \_\_\_\_

7. **NUMBER OF PERSONS SERVED:** (use one form per household) \_\_\_\_\_  
**NUMBER OF ACRES OF LAWN AND GARDEN IRRIGATION:** (cannot exceed 5 acres) \_\_\_\_\_ acres
8. **FLOW RATE USED:** \_\_\_\_\_ ☐ gallons per minute ☐ miner's inches ☐ cubic feet per second
9. **VOLUME:** \_\_\_\_\_ acre-feet per year
10. **PERIOD OF USE:** Year round use? ☐ Yes ☐ No If no, from \_\_\_\_\_ to \_\_\_\_\_, inclusive each year.
11. **PERIOD OF DIVERSION:** ☐ Same as Period of Use. If no, from \_\_\_\_\_ to \_\_\_\_\_, inclusive each year.
12. **TYPE OF HISTORIC RIGHT:** ☐ Decreed ☐ Filed Appropriation ☐ Use **Date of first use:** \_\_\_\_\_  
 Attach copies of the decree, record of filing, or proof of use right.
13. **ATTACH:** Copies of aerial photos, USGS topographic maps, or other documents necessary to show point of diversion and place of use.
14. **NOTARIZED STATEMENT SIGNED BY OWNER:**

I, \_\_\_\_\_, having been duly sworn, depose and say that I, being of legal age and being the owner of this existing water right, and the person whose name is signed to it as the owner, know the contents of this filing and that the matters and things stated there are true and correct.

Owner Signature \_\_\_\_\_ Date \_\_\_\_\_

Owner Signature \_\_\_\_\_ Date \_\_\_\_\_

Owner Signature \_\_\_\_\_ Date \_\_\_\_\_

STATE OF MONTANA

County of \_\_\_\_\_

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

Notary Public for the State of Montana \_\_\_\_\_

(Notary Seal)

Notary's Printed Name \_\_\_\_\_

Residing at: \_\_\_\_\_

My commission expires \_\_\_\_\_

**STATEMENT OF CLAIM FOR EXISTING  
WATER RIGHT  
EXEMPT STOCK USE**

Use this form to claim an existing water right exempt  
from the claim filing process.

§ 85-2-222, MCA

**Filing Fee \$160**

**DRAFT**

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Fee Rec'd \$ \_\_\_\_\_ Check No. \_\_\_\_\_  
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**Important Note**

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**2. PERSON COMPLETING FORM:** Same as above? ☐ Yes ☐ No If yes, proceed to #3.

NAME \_\_\_\_\_  
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CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_  
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**3. SOURCE OF WATER:** Choose only one: ☐ Developed Spring ☐ Well ☐ Stream ☐ Lake  
Name of Source (if applicable) \_\_\_\_\_ Tributary of \_\_\_\_\_

**4. POINT OF DIVERSION:**

\_\_\_\_ 1/4 \_\_\_\_ 1/4 \_\_\_\_ 1/4 Section \_\_\_\_ Twp \_\_\_\_ N / S Rge \_\_\_\_ E / W County \_\_\_\_  
Lot \_\_\_\_ Block \_\_\_\_ Tract No. \_\_\_\_ Subdivision Name \_\_\_\_  
Government Lot No. \_\_\_\_ COS No. \_\_\_\_ Geocode \_\_\_\_  
Street or Road Address, including City, State & Zip Code of the Development \_\_\_\_\_

**5. MEANS OF DIVERSION:** ☐ Pump ☐ Gravity Flow ☐ Direct ☐ Other, please explain: \_\_\_\_\_

**6. NUMBER AND TYPE OF LIVESTOCK SERVED:**

_____ Beef Cattle	_____ Dairy Cows	_____ Horses
_____ Sheep	_____ Goats	_____ Pigs
# _____ Type _____	# _____ Type _____	# _____ Type _____
# _____ Type _____	# _____ Type _____	# _____ Type _____

7. **PLACE OF USE:** Same as Point of Diversion? ☐ Yes ☐ No If yes, proceed to #8.  
 \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 Section \_\_\_\_\_ Twp \_\_\_\_\_ N / S Rge \_\_\_\_\_ E / W County \_\_\_\_\_  
 Lot \_\_\_\_\_ Block \_\_\_\_\_ Tract No. \_\_\_\_\_ Subdivision Name \_\_\_\_\_  
 Government Lot No. \_\_\_\_\_ COS No. \_\_\_\_\_ Geocode \_\_\_\_\_  
 Street or Road Address, including City, State & Zip Code of the Development \_\_\_\_\_  
 \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 Section \_\_\_\_\_ Twp \_\_\_\_\_ N / S Rge \_\_\_\_\_ E / W County \_\_\_\_\_  
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 \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 Section \_\_\_\_\_ Twp \_\_\_\_\_ N / S Rge \_\_\_\_\_ E / W County \_\_\_\_\_  
 Lot \_\_\_\_\_ Block \_\_\_\_\_ Tract No. \_\_\_\_\_ Subdivision Name \_\_\_\_\_  
 Government Lot No. \_\_\_\_\_ COS No. \_\_\_\_\_ Geocode \_\_\_\_\_  
 Street or Road Address, including City, State & Zip Code of the Development \_\_\_\_\_

8. **FLOW RATE USED:** \_\_\_\_\_ ☐ gallons per minute ☐ miner's inches ☐ cubic feet per second

9. **VOLUME:** \_\_\_\_\_ acre-feet per year

10. **PERIOD OF USE:** Year round use? ☐ Yes ☐ No If no, from \_\_\_\_\_ to \_\_\_\_\_, inclusive each year.

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Owner Signature \_\_\_\_\_ Date \_\_\_\_\_

Owner Signature \_\_\_\_\_ Date \_\_\_\_\_

Owner Signature \_\_\_\_\_ Date \_\_\_\_\_

STATE OF MONTANA

County of \_\_\_\_\_

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

Notary Public for the State of Montana \_\_\_\_\_

(Notary Seal)

Notary's Printed Name \_\_\_\_\_

Residing at: \_\_\_\_\_

My commission expires \_\_\_\_\_